

## REMARKS/ARGUMENTS

Claims 1-20 are pending. Claim 3 has been amended. In light of the following, all of the claims are in condition for allowance. If, after considering this response, the Examiner does not agree that all of the claims are allowable, then the Examiner is requested to schedule a teleconference with the Applicants' attorney to further the prosecution of the application.

### **Rejection of claims 1-2, 4, 6-20 under §103(a) as being unpatentable over Lee et al. (US 5,930,826) in view of Applicant's Admitted Prior Art (AAPA)**

#### **Claim 1**

Claim 1 recites a second flag element being used to define a protected state of the data storage area against alteration of the content of the data storage locations thereof, the protected state defined by the second flag element being permanent and non-removable.

On page 3 of the Office Action, the Examiner concedes that Lee fails to teach that the protected state defined by the second flag element is permanent and non-removable. However, the Examiner argues that it would have been obvious to use the concepts of the one time programmable (OTP) register as being taught by AAPA into Lee's memory array to provide fraud protection and increasing the security of the device.

The Applicants' attorney respectfully points out that, as described in the background of the present application, the OTP protection register is simply a 128-bit register that is capable to be put in a mode such that the customer-reserved 64-bit segment thereof cannot be modified (paragraph 7). This has nothing to do with the limitations of claim 1 because claim 1 specifically recites a protected state of the data storage area, not a 64-bit segment of a register. In fact, the background of the present application specifically states that "the OTP protection register does not however allow avoiding fraudulent or generally unwanted alteration of the content of the memory storage area" (paragraph 8). Even if the 64-bit segment of the OTP protection register was somehow construed as the claimed data storage area, there is only the possibility

of protecting it permanently in a non-removable manner (not also in a user-removable manner as recited in claim 1).

Thus, Lee simply teaches to protect the sectors of a flash memory in a way that is always removable, whereas AAPA simply teaches to permanently lock the customer-reserved 64-bit segment of the OTP protection register while no protection of the memory array is provided for. This combination of teachings proposed by the Examiner is not only incompatible, but there is no motivation for making this combination. Therefore, the teachings of Lee and AAPA do not satisfy the limitations of claim 1.

#### **Claims 2, 4 and 6-8**

Claims 2, 4 and 6-8 are patentable by virtue of their dependency from independent claim 1.

#### **Claim 9**

Claim 9 recites a first status portion corresponding to and operable to indicate first and second states of the first data-storage portion, and a second status portion corresponding to and operable to indicate a third state of the first data-storage portion.

Claim 9 is patentable for reasons similar to those recited above in support of the patentability of claim 1.

#### **Claims 10-16**

Claims 10-16 are patentable by virtue of their dependency from independent claim 9.

#### **Claim 17**

Claim 17 recites receiving a request to modify a memory sector having a plurality of states, and granting the request to modify if the sector is in a first state of the plurality, denying the request to modify if the sector is in a second and/or third state of the plurality.

Claim 17 is patentable for reasons similar to those recited above in support of the patentability of claim 1.

### **Claim 18**

Claim 18 recites receiving a request to transition a memory sector from a second or third state to a first state, and granting the request to transition if the sector is in the second state, denying the request to transition if the portion is in the third state.

Claim 18 is patentable for reasons similar to those recited above in support of the patentability of claim 1.

### **Claim 19**

Claim 19 recites transitioning a memory sector to a revocable unmodifiable state, and transitioning the memory sector to an irrevocable unmodifiable state only after transitioning the memory sector to the revocable unmodifiable state.

Claim 19 is patentable for reasons similar to those recited above in support of the patentability of claim 1.

### **Claim 20**

Claim 20 is patentable for reasons similar to those recited above in support of the patentability of claim 9.

### **Objection to claims 3 and 5**

Claim 3 has been rewritten in independent form. As indicated by the Examiner, claims 3 and 5 are now allowable.

## CONCLUSION

In light of the foregoing, claims 1-20 are in condition for allowance, which is respectfully requested.

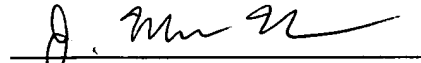
In the event any fees are due as a result of this amendment, you are hereby authorized to charge such payment to Deposit Account No. 07-1897.

If, after considering this response, the Examiner does not agree that all of the claims are allowable, then it is respectfully requested that the Examiner schedule a phone interview with the Applicants' attorney at (425) 455-5575.

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Respectfully submitted,

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